

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

MAY 1 1975

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed. Nov. 22, 1968, under 24775.....

The applicant Nye County Development Co., Inc., c/o Anglo Fabrics Co., Inc.  
1407 Broadway....., of New York.....  
Street and No. or P.O. Box No. City or Town  
New York 10018....., hereby make<sup>S</sup> application for permission to appropriate the public  
State and Zip Code No.  
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.).....  
Reno, Nevada in February, 1962.....

1. The source of the proposed appropriation is an underground source in Nye County,  
Name of stream, lake or other source.  
Nevada.....
2. The amount of water applied for is 3.1.....second-feet  
One second-foot equals 448.83 gals. per min.  
(a) If stored in reservoir give number of acre-feet.....acre-feet
3. The water to be used for irrigation and domestic use.....  
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
  - (a) Irrigation (state number of acres to be irrigated).....140
  - (b) Stockwater (state number and kinds of animals to be watered).....
  - (c) Other use (describe fully under "No. 12. Remarks").....
  - (d) Power:
    - (1) Horsepower developed.....
    - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section  
19, T.16S., R.49E., M.D.B.&M., or at a point from which the NE corner  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
of said Section 19 bears N. 26° 54' E., a distance of 68.00 feet.  
it should be stated.
6. Place of use. NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the S $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 19,  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
T.16S., R.49E., M.D.B.&M......
7. Use will begin about January 1st.....and end about December 31st....., of each year.  
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled well pump and motor together  
with ditches and/or pipelines to carry the water to its place of use  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works. \$10,000.00
10. Estimated time required to construct works. Five years
11. Estimated time required to complete the application to beneficial use. Five years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is a refile on Permit No. 26400 and it is requested that the map used in support of Permit No. 26400 be used to support this application which is filed under Permit No. 24775.

Applicant. Nye County Development Co., Inc.

By s/ R. LeRoy Givens  
R. LeRoy Givens, State Water Right Surveyor  
c/o Boyle Engineering Corporation  
1209 S. Commerce St.  
Las Vegas, Nevada 89102

Compared jw/lk bs/lk

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to the final determination of litigation pending in the United States District Court for the District of Nevada styled United States of America vs. Francis Leo Cappaert, et al., Civil - LV 1637.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.55 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before. February 20, 1976

Proof of commencement of work shall be filed before. March 20, 1976

Work must be prosecuted with reasonable diligence and be completed on or before. February 20, 1977

Proof of completion of work shall be filed before. March 20, 1977

Application of water to beneficial use shall be made on or before. February 20, 1979

Proof of the application of water to beneficial use shall be filed on or before. March 20, 1979

Map in support of proof of beneficial use shall be filed on or before. March 20, 1979

Commencement of work filed. MAR 20 1977

Completion of work filed.

Proof of beneficial use filed.

Cultural map filed.

Certificate No. Issued.

Recorded. Bk. Page. APR 24 1978

County Recorder

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20th day of August

A.D. 1975